United Nations CEDAW/C/MLI/CO/6-7

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
25 July 2016

Original: English

Committee on the Elimination of Discrimination against Women

Concluding observations on the combined sixth and seventh periodic reports of Mali*

1. The Committee considered the combined sixth and seventh periodic reports of Mali (CEDAW/C/MLI/6-7) at its 1419th and 1420th meetings, on 15 July 2016 (see CEDAW/C/SR.1419 and 1420). The Committee's list of issues and questions is contained in CEDAW/C/MLI/Q/6-7 and the responses of Mali are contained in CEDAW/C/MLI/Q/6-7/Add.1.

A. Introduction

2. The Committee appreciates the submission by the State party of its combined sixth and seventh periodic reports. It also appreciates the State party's written replies to the list of issues and questions raised by the pre-sessional working group and welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by the Minister for the Advancement of Women, Children and Families, Oumou Sangaré Ba, and included representatives of the Department of Legal Affairs and of the Permanent Mission of Mali to the United Nations Office and other international organizations in Geneva. The Committee appreciates the constructive dialogue that took place with the delegation, but notes that a number of the questions were not adequately answered.

B. Positive aspects

4. The Committee welcomes the progress achieved since its consideration in 2006 of the State party's combined second to fifth periodic reports (CEDAW/C/MLI/2-5) in undertaking legislative reforms, in particular the adoption of the following legislation:

* Adopted by the Committee at its sixty-fourth session (4-22 July 2016).

Please recycle

(a) Act No. 2015-052 of 18 December 2015, instituting measures to promote gender equality in access to nominated and elected positions by providing for a minimum 30 per cent quota for the representation of each gender;

(b) Act No. 2012-027/PM-RM of 12 July 2012, on combating trafficking in persons and similar practices;

(c) Act No. 2011-087 of 30 December 2011, which amended article 224 of the Personal and Family Code, providing for the equal right of Malian women and men to transmit their nationality to their foreign spouses and to their children;

(d) Act No. 06-40/AN-RM of 16 August 2006, on agriculture, removing legal barriers to access to and use of land by women.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or establishment of the following:

(a) Plan of action, covering the period 2015-2017, for the implementation of Security Council resolution 1325 (2000) on women and peace and security;

(b) National Fund for Agricultural Development and the land tenure policy (2015), which provides for the allocation of 15 per cent of State-managed land to women and young people.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has signed, ratified or acceded to the following international instruments:

(a) Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, in 2009;

(b) International Convention for the Protection of All Persons from Enforced Disappearance, in 2009;

(c) Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, in 2008.

C. Factors and difficulties preventing the effective implementation of the Convention

7. The Committee notes that the State party's efforts since 2006 to improve the situation of women have largely been impeded by the instability caused by the occupation of northern and central Mali by radical Islamic groups, inter-ethnic violence and several consequent military interventions since 2012, which has resulted in a near-breakdown of the public administration, the closure of schools, the abandonment of hospitals, the disruption of food production and supplies, increasing levels of extreme poverty and the displacement of populations. It also notes the severe continuing impact of the hostilities on civilians, in particular women in the north and internally displaced women, who face increased levels of discrimination and violence, including sexual violence. The Committee notes that there are recovery plans in place, including a plan of action, covering the period 2015-2017, for the implementation of Security Council resolution 1325 (2000) on women and peace and security, which is intended to take into account the specific

needs of women and girls in peacebuilding and increase their participation in national reconstruction efforts. The Committee considers that those efforts require the full implementation of the Convention in order to protect and promote women's rights. In this regard, it recommends that the State party adopt a four-year national action plan on the implementation of the present concluding observations, which will provide it with a road map for better implementation and monitoring of its obligations under the Convention.

D. Principal areas of concern and recommendations

National Assembly

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with parliamentarians, adopted at the forty-fifth session, in 2010). It invites the National Assembly, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the next reporting period under the Convention.

Women and peace and security

9. The Committee is concerned that women have consistently been underrepresented at the decision-making level since the beginning of the Algiers process, as well as following the signing of the Agreement for Peace and Reconciliation in Mali and during its implementation. It is also concerned about the low number of women commissioners on the Truth, Justice and Reconciliation Commission and the absence of victims' representatives among the commissioners.

10. The Committee recommends that the State party ensure that its plan of action for the implementation of Security Council resolution 1325 (2000) is allocated sufficient resources to ensure the achievement of its objectives of promoting the meaningful involvement of women at all stages of the stabilization and reconstruction process, including in decision-making and on the Truth, Justice and Reconciliation Commission, in line with chapter 14 of the Agreement for Peace and Reconciliation and in view of the Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, ensuring in particular gender parity in the composition of the interim governing authorities in the north. The Committee also recommends the establishment of a monitoring mechanism to regularly assess the impact of the plan and, in this regard, recommends that the State party avail itself of the technical assistance provided by the United Nations Multidimensional Integrated Stabilization Mission in Mali in line with Council resolution 2295 (2016).

Definition of equality and non-discrimination

11. The Committee is concerned that the State party does not apply the broad definition of equality given in article 1 of the Convention, notwithstanding the constitutional guarantee of the superior authority of treaties, once published, over national law (art. 116). The Committee recalls its concern (see CEDAW/C/MLI/CO/5, para. 9) that there are no sanctions provided for in law for the violation

of the constitutional prohibition of sex-based discrimination (art. 2) and, furthermore, that exceptions to non-discrimination exist in matters of family law and succession, in addition to practices harmful to the health of women and girls, including female genital mutilation and early marriage. The Committee is also concerned that discrimination against women continues to be perpetuated by the current coexistence and application of statutory, customary and religious laws (sharia) and that there is no envisaged time frame for the revision and repeal of discriminatory laws and provisions (see CEDAW/C/MLI/CO/5, para. 11).

12. **The Committee reiterates its previous recommendations (see CEDAW/C/MLI/CO/5, paras. 10 and 12) that the State party:**

(a) **Accord priority to its law reform process and draw attention to the links between articles 1 and 2 of the Convention and Sustainable Development Goal 5.1, to end all forms of discrimination against all women and girls everywhere;**

(b) **Within a specific time frame, harmonize its legislation in order to eliminate discrimination against women through the repeal of all discriminatory provisions, including those in the Personal and Family Code, and the enactment of new legislation, such as a comprehensive anti-discrimination law;**

(c) **Initiate open and inclusive public debates regarding diversity of opinion and interpretation with regard to Muslim family laws and practices and raise the awareness of parliamentarians and the general public of the importance of comprehensive, consistent and coherent legal reform to achieve substantive equality of women and men.**

Access to justice

13. The Committee acknowledges the State party's efforts to reinstitute judicial mechanisms in the north and provide legal assistance to women who are victims of discrimination and gender-based violence. It reiterates its concern (see CEDAW/C/MLI/CO/5, para. 15) that the justice system remains inaccessible to most women owing to such barriers as many women's inability to attain the information and assistance necessary to pursue a complaint through the system owing to their high illiteracy rate and their fear of reprisals. It also notes that women face stigmatization by family and community members when reporting certain crimes, in particular conflict-related sexual and gender-based violence and harmful practices, including forced and early marriage, sexual slavery, rape and torture. The Committee notes with concern the unaffordable costs for most women of pursuing a claim, the long administrative delays experienced and the abuse suffered at the hands of judicial and law enforcement officers, reinforcing women's mistrust of the justice system.

14. **The Committee, recalling its general recommendation No. 33 (2015) on women's access to justice, recommends that the State party:**

(a) **Allocate sufficient resources to the justice sector to strengthen the 10-year justice development programme, enhance the efficiency of judicial mechanisms throughout the country and simplify judicial proceedings and ensure that they are free of charge;**

(b) Provide systematic capacity-building to the judiciary, lawyers, prosecutors, police officers and other law enforcement officers on all areas covered by the Convention, in addition to the Committee's general recommendations and its jurisprudence under the Optional Protocol;

(c) Enhance women's awareness of their rights and their legal literacy in all areas of the Convention, so as to empower them to claim their rights;

(d) Allocate resources to the legal assistance fund and non-governmental organizations facilitating women's access to justice and conduct awareness-raising campaigns to eliminate the stigmatization of women, in particular women who are victims of gender-based violence, seeking recourse through the justice system.

National machinery for the advancement of women

15. The Committee welcomes the adoption of Decree No. 2014-0368/PM-RM of 27 May 2014, on the establishment of institutional mechanisms, including a permanent secretariat, to coordinate and follow up on the implementation of the national gender policy. The Committee is concerned, however, that the budgetary allocations to the Ministry for the Advancement of Women, Children and Families and to the National Directorate for the Advancement of Women are insufficient to allow for the implementation of their mandates and to carry out impact assessments of projects, programmes and action plans to ensure their effectiveness. It notes with concern that the new strategic plan, covering the period 2016-2018 and aimed at ensuring the implementation of the national gender plan (2010), has not been finalized and that there is a lack of coordination among the sectoral committees on women's rights in government ministries and local governing bodies.

16. **The Committee, recalling its general recommendation No. 6 (1988) on effective national machinery and publicity, and the guidance provided in the Beijing Platform for Action, in particular regarding the conditions necessary for the effective functioning of national machineries, recommends that the State party allocate the human, technical and financial resources to the Ministry for the Advancement of Women, Children and Families, the National Directorate for the Advancement of Women and the permanent secretariat of the national gender policy necessary to reinforce their mandates to coordinate, monitor and assess the impact of the implementation of public policies and national action plans for the advancement of women. It also recommends that the State party ensure coordination between these mechanisms, the sectoral committees on women's rights within governmental institutions, local focal points and women's non-governmental organizations.**

Temporary special measures

17. The Committee notes that the implementing decree for Act No. 2015-052 of 18 December 2015, instituting measures to promote gender equality in access to nominated and elected positions by providing for a minimum 30 per cent quota for the representation of each gender, has not yet been adopted.

18. **The Committee, reiterating its previous recommendation (see CEDAW/C/MLI/CO/5, para. 14), recommends that, in line with article 4 (1) of the**

Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, the State party:

(a) Implement its commitment to completing the adoption in July 2016 of the implementing decree for Act No. 2015-052;

(b) Adopt other temporary special measures with specific targets and incentives, outreach and support programmes, legal sanctions and other proactive results-oriented measures to accelerate the achievement of substantive equality of women and men in political and public life;

(c) Ensure special budget allocations for measures that benefit women, in particular women with disabilities and internally displaced women, in the education, rural development and health-care sectors.

Gender-based violence and harmful practices

19. The Committee notes that a bill addressing violence against women is being developed and that a national programme to combat violence against women and girls is pending finalization. It reiterates its concern (see CEDAW/C/MLI/CO/5, para. 17) at the persistence of adverse cultural practices and traditions and patriarchal attitudes and discriminatory stereotypes regarding the roles and responsibilities of women and men in society and in the family. The Committee expresses concern that harmful practices, such as child and forced marriage, polygamy, female genital mutilation and other forms of excision, humiliating and degrading widowhood practices, force-feeding, levirate and sororate, remain prevalent and unpunished in the State party. It is also concerned that gender-based violence, including domestic and sexual violence, appears to be socially legitimized and accompanied by a culture of silence and impunity, given that very few cases are registered or prosecuted. It notes the lack of systematic collection of data on the investigation, prosecution and punishment of acts of gender-based violence against women and the limited access for women and girls to assistance and protection, such as shelters, in the State party.

20. **The Committee, recalling its general recommendation No. 19 (1992) on violence against women, reiterates its previous recommendation (see CEDAW/C/MLI/CO/5, para. 18) that the State party:**

(a) Expedite the enactment and implementation of a law on combating gender-based violence against women and ensure that it criminalizes rape, including marital rape, incest, sexual harassment and female genital mutilation and does not refer cases of gender-based violence against women to mediation;

(b) Ensure that victims are destigmatized and encouraged to report incidents of gender-based violence, with access to effective protection and redress, including compensation, prosecution and punishment of perpetrators by a competent criminal court;

(c) Remove obstacles faced by victims of gender-based violence to gaining access to justice by eliminating the practice of requiring a medical certificate to initiate criminal proceedings for rape;

(d) Finalize the national programme to combat gender-based violence against women and girls and allocate adequate resources to ensure its implementation in a coordinated and effective manner;

(e) Provide sufficient assistance and protection to women and girls who are victims of gender-based violence, including by increasing the number of shelters and providing them with medical treatment, psychosocial rehabilitation and reintegration programmes, especially in rural areas, and by coordinating interventions and support services in cooperation with civil society organizations and international partners;

(f) Intensify public awareness efforts, through consistent and strategic media campaigns and educational programmes, to address gender inequalities, harmful practices and gender-based violence;

(g) Establish systematic collection and analysis of data on all forms of gender-based violence against women, disaggregated by age, region and relationship between the victim and the perpetrator.

Female genital mutilation

21. The Committee notes that a bill to prohibit female genital mutilation was submitted to the National Assembly in 2009, that there is a bill creating a committee to follow up on that bill and that there is a national plan of action to combat female genital mutilation that covers the period 2015-2019. The Committee, recalling its previous concluding observations (CEDAW/C/MLI/5, para. 23), reiterates its concern about the continuing extremely high incidence of female genital mutilation (90 per cent) and the impunity of perpetrators and practitioners owing to, among other things, the absence of any legal framework specifically criminalizing the practice. It notes that no claims under article 213 of the Criminal Code have been registered to date to prosecute practitioners of excision. The Committee is also concerned about the increasingly young age at which excision is performed (average of 4.3 years). It notes with concern that the prohibition on health-care professionals practising excision has reportedly pushed the practice underground, thereby exacerbating the serious health complications for girls and women arising from the practice, including death.

22. **The Committee reiterates its previous recommendation (see CEDAW/C/MLI/5, para. 24) that the State party finalize the bill to prohibit female genital mutilation, ensure that the practice is sanctioned under the Child Protection Code and provide training for law enforcement officers, health-care and social workers and the judiciary on the strict application of these sanctions to ensure that perpetrators and practitioners of female genital mutilation are effectively investigated, prosecuted and punished. The Committee recommends that sufficient resources be allocated to ensure the implementation of the national plan of action to combat female genital mutilation, including activities to raise the awareness of traditional and religious leaders of the negative impact of the practice on women and girls.**

Gender-based violence against women in conflict-affected areas

23. The Committee is concerned about sexual atrocities, including forced and early marriage, sexual slavery, rape and torture, committed against women by the extremist groups that have occupied the northern parts of Mali since April 2012. It is alarmed about reports of sexual and gender-based violence being committed by members of the military against women residing in conflict-affected areas, the low percentage of cases reported owing to fear of reprisals and a lack of confidence in the justice system, and the resulting impunity for perpetrators. The Committee is concerned by

the provision in the Code of Military Justice that permission must be sought from the Minister of Defence before prosecuting members of the security and defence forces.

24. **The Committee recommends that the State party:**

(a) Complete the process of revising the Code of Military Justice as a matter of urgency and, with technical assistance from the United Nations Multidimensional Integrated Stabilization Mission in Mali, if requested, in line with Security Council resolution 2295 (2016), ensure that investigations into allegations of sexual and gender-based violence and violations of women's rights committed by members of the Malian security and defence forces and armed groups, in addition to any disciplinary action or prosecutions relating thereto, are conducted in line with international standards;

(b) Accord priority to protecting victims and witnesses from reprisals if they seek access to justice or cooperate with the judiciary;

(c) Ensure that victims have access to comprehensive medical treatment, mental health care and psychosocial support.

Trafficking and exploitation of prostitution

25. The Committee notes with concern that Act No. 2012-027/PM-RM of 12 July 2012, on combating trafficking in persons and similar practices, does not address gender-specific issues, is not accompanied by an action plan and remains relatively unknown to law enforcement officers and the public. The Committee reiterates its concern (see CEDAW/C/MLI/CO/5, para. 21) about the absence of disaggregated data on both trafficking in women and girls and exploitation of prostitution, including on the number of victims, investigations, prosecutions, convictions and punishments. It is concerned that hereditary slavery has been on the rise since the conflict began in 2012 and that there is no effective mechanism of protection from prevailing forms of slavery, the sale of and trafficking in children, debt bondage, serfdom and forced or compulsory labour.

26. **The Committee, reiterating its previous recommendation (see CEDAW/C/MLI/CO/5, para. 22), draws attention to Sustainable Development Goal 5.2, to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, and recommends that the State party:**

(a) Ensure that sufficient human, technical and financial resources are allocated for the effective implementation of Act No. 2012-027/PM-RM, including through the development of a national plan of action to combat trafficking for purposes of, among others, debt bondage, serfdom, forced or compulsory labour, slavery and commercial sexual exploitation;

(b) Provide continuing capacity-building for law enforcement officers on the early identification and referral of, assistance to and rehabilitation of trafficking victims;

(c) Carry out nationwide education and awareness-raising campaigns about the risks and criminal nature of trafficking;

(d) Systematically collect sex-disaggregated data on exploitation of prostitution and trafficking in persons.

Participation in political and public life

27. The Committee welcomes the increase in the number of women in ministerial posts, from five to six of a total of 32 ministers, as at 15 January 2016, and the adoption of a national strategy, covering the period 2012-2015, and an action plan for the participation and greater representation of women in the general elections. It is nevertheless concerned about the low representation of women in elected and appointed decision-making positions in the National Assembly, the Government, the judiciary, the civil service at the national, provincial and municipal levels and the diplomatic service. It notes that barriers to the participation of women in political and public life include widespread illiteracy, a lack of autonomy in keeping official household documents and the lower social status of women manifested in their inability either to obtain the necessary identification documents or to vote because of a lack of permission to do so. The Committee notes with concern that, under article 28 of the Electoral Act (No. 06-044 of 4 September 2006), women with disabilities are automatically denied the right to vote on the basis of their disability.

28. **In line with its general recommendation No. 23 (1997) on women in political and public life, the Committee reiterates its previous recommendation (see CEDAW/C/MLI/CO/5, para. 26) that the State party:**

(a) **Urgently repeal article 28 of the Electoral Act;**

(b) **Assist women, in particular women who are illiterate and women with disabilities, to obtain the documents required to exercise their right to vote;**

(c) **Raise the awareness of politicians, the media and community leaders of women's rights and gender equality, improve the lower social status of women and enhance understanding that the full, free and democratic participation of women on an equal basis with men in political and public life is a requirement for the full implementation of the Convention.**

Education

29. The Committee welcomes the positive measures in place to increase the enrolment and retention of girls in school, including a national policy on schooling for girls and literacy programmes for women. Nevertheless, the Committee remains concerned (see CEDAW/C/MLI/CO/5, para. 27) at the extremely low completion rate for girls at the secondary level owing to, among other things, early and child marriage, early pregnancy, indirect school costs, child labour and a preference for sending boys to school, resulting in a very high illiteracy rate (76 per cent) among women in the State party. It also notes the poor quality of education owing to the high pupil-teacher ratio, the scarcity of textbooks and the lack of qualified teachers, together with rural-urban disparities in enrolment. The Committee is also concerned that girls are often victims of sexual abuse and harassment on school premises and notes that the crisis in the north has seen 115 schools closed and seriously disrupted the education of some 700,000 children, with a disproportionate impact on girls. The Committee notes with concern the existence of a parallel education system with Koranic schools that remain outside the purview of the Ministry of Education.

30. **The Committee, taking note of Sustainable Development Goal 4.5, to eliminate gender disparities in education, recommends that the State party:**

(a) Accord priority to the reopening of schools in conflict-affected areas, in line with the terms of the Agreement for Peace and Reconciliation and the Committee's previous recommendation (see CEDAW/C/MLI/CO/5, para. 28);

(b) Allocate adequate funding for education to eliminate the indirect costs of schooling, increase the number of schools and teachers, improve the quality of teaching and school infrastructure and strengthen adult literacy programmes, especially in rural and conflict-affected areas;

(c) Raise public awareness of the importance of education for women and girls and reinforce a zero-tolerance policy with regard to sexual abuse and harassment at school, ensuring that perpetrators are punished appropriately;

(d) Ensure the alignment of curricula in Koranic schools with those provided nationally and endorsed by the Ministry of Education.

Employment

31. The Committee remains concerned (see CEDAW/C/MLI/CO/5, para. 29) that women, specifically in rural areas, are concentrated in the informal sector in non-skilled and low-paid jobs and excluded from social protection. The Committee is also concerned about the persistent gender wage gap and that women are exposed to high unemployment rates and persistent horizontal and vertical segregation in the labour market in both the public and private sectors. It notes with concern that girls are exposed to exploitative child labour, including domestic work and begging, and that, under the Labour Code, women are prohibited from engaging in certain types of work.

32. **The Committee, recalling its previous recommendation (see CEDAW/C/MLI/CO/5, para. 30), recommends that the State party:**

(a) Repeal discriminatory provisions of the Labour Code;

(b) Ensure the active participation of women in the design and implementation of job creation schemes;

(c) Ensure the application of the national health assistance scheme, in particular for rural women and women with disabilities;

(d) Close the existing wage gap between women and men by implementing the principle of equal pay for work of equal value, in line with the Committee's general recommendation No. 13 (1989) on the subject;

(e) Provide adequate resources for the implementation and monitoring, through inspections, especially in remote areas and along borders, of the national plan of action for the elimination of child labour.

Health

33. The Committee reiterates its concern (see CEDAW/C/MLI/CO/5, para. 33) about the inadequate funding of the health-care sector and the limited access to basic health-care services, including sexual and reproductive health care, in particular among rural women, women with disabilities and women living in conflict-affected areas. The Committee is concerned about the persistently high rates of maternal mortality, fertility, early and frequent pregnancy and the resulting demand for obstetric fistula services, HIV/AIDS prevalence among women in prostitution and acute malnutrition affecting women. It notes that the poor health

situation of women in the State party is attributed to, among other things, persisting sociocultural barriers, including traditional harmful practices, the lack of autonomy for women, the unavailability, unaffordability and inaccessibility of modern contraceptives and sexual and reproductive health-care services and information, including to adolescents, and difficulties in gaining access to legal abortions.

34. **The Committee, recalling its general recommendation No. 24 (1999) on women and health, draws attention to Sustainable Development Goals 3.1 and 3.7, to reduce the global maternal mortality ratio and to ensure universal access to sexual and reproductive health-care services, reiterates its previous recommendation (see CEDAW/C/MLI/CO/5, para. 34) and further recommends that the State party:**

(a) **Increase the budgetary allocation to basic health care and sexual and reproductive health-care services, affordable modern contraceptives and family planning services, according priority to women in rural areas, women in conflict-affected areas and women with disabilities;**

(b) **Reduce maternal mortality by improving access to basic prenatal and postnatal care and emergency obstetric services by skilled birth attendants, including post-abortion care in the case of abortions permitted by law, throughout the territory of the State party, taking into consideration the technical guidance of the Office of the United Nations High Commissioner for Human Rights on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal morbidity and mortality (A/HRC/21/22 and Corr.1 and 2);**

(c) **Carry out targeted awareness-raising to combat the negative influence of customary, traditional or religious considerations that may be invoked to limit the autonomy of women and hamper the exercise of their sexual and reproductive health rights;**

(d) **Ensure that the review process of Act No. 06-028 of 29 June 2006, establishing rules for the prevention, treatment and monitoring of HIV/AIDS, explicitly takes into account a gender perspective, stipulates specific non-discriminatory protection for women in prostitution and allocates sufficient resources to implement the national strategic framework document on HIV/AIDS.**

Economic and social benefits

35. The Committee welcomes the adoption of a strategic framework for combating poverty, the intention of which is to facilitate women's access to credit, land and equipment. It is concerned, however, about the lack of active participation by women in the design and implementation of these activities and about the discriminatory laws that require women to obey their husbands, thereby restricting their exercise of their economic rights. The Committee notes the severe disruption of women's livelihoods, including their ability to trade, resulting from the conflict.

36. **The Committee recommends that the State party swiftly repeal the legal provision requiring women to obey their husbands and, furthermore, raise the awareness of traditional leaders and, especially, men of the need to encourage the economic empowerment of women as a poverty alleviation strategy.**

Rural women

37. The Committee takes note of the extremely high rates of poverty (75.9 per cent) and food insecurity in rural areas in the State party and reiterates its previous concern (see CEDAW/C/MLI/CO/5, para. 35) regarding the precarious situation of rural women. It also notes with concern the disproportionately adverse impact on rural women of the Land Code (2000), under which the application of customary law to land acquisition through succession, as well as to the administration of property, is recognized, thereby limiting women's access to economic resources and financial credit.

38. **The Committee recommends that the State party:**

(a) **Repeal discriminatory provisions of the Land Code in order to facilitate the acquisition and retention of land and natural resources by rural women, in line with its previous recommendation (see CEDAW/C/MLI/CO/5, para. 36);**

(b) **Increase the representation of women in local policymaking and management bodies, including the High Council of Agriculture, and in the design and implementation of the national food security strategy, covering the period 2015-2025.**

Disadvantaged groups of women

Women with disabilities

39. The Committee welcomes the adoption in 2015 of a 10-year strategic plan and plan of action to promote the socioeconomic rights of persons with disabilities and the development of a bill on the social protection of persons with disabilities, which specifically addresses the needs of women and girls with disabilities. It notes with concern, however, the physical and social barriers, including severe stigmatization and discrimination, faced by women and girls with disabilities when it comes to participating in political and public life and gaining access to high-quality education, employment opportunities, sexual and reproductive health-care services and the justice system, thereby reinforcing their situation of exclusion, extreme poverty and vulnerability to gender-based violence and sexual exploitation.

40. **The Committee, recalling its general recommendation No. 18 (1991) on disabled women, recommends that the State party:**

(a) **Finalize the law on the social protection of persons with disabilities and establish a mechanism to monitor its enforcement, ensuring that perpetrators of discrimination and gender-based violence against women and girls with disabilities are punished by adequate sanctions and victims adequately compensated;**

(b) **Carry out a census of the number of persons with disabilities, disaggregated by sex, age and region;**

(c) **Undertake awareness-raising activities to change negative cultural attitudes towards women and girls with disabilities;**

(d) **Ensure that women and girls with disabilities have effective access to justice, political and public life, education, income-generating activities and health care, including sexual and reproductive health care services.**

Women in detention

41. The Committee notes with concern the conditions of women in detention, including a lack of systematic separation from male detainees, abuse perpetrated by police and prison authorities and inappropriate treatment for pregnant women in detention and those accompanied by their children.

42. **The Committee recommends that the State party implement the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and guarantee the separation of detained women and men, placing female guards in charge of the supervision of women detainees, and ensure the adequacy of health-care facilities and services, in addition to appropriate treatment, in particular for pregnant women and women detained with their children.**

Marriage and family relations

43. The Committee is deeply concerned that the progressive provisions on women's rights included in the preliminary draft of the revised Personal and Family Code were lost during the second reading in the National Assembly as a result of pressure from conservative and religious groups, resulting in the 2011 Code, which contains many discriminatory provisions, including: the different minimum age of marriage for girls (16 years) and boys (18 years), which, in the case of girls, can be reduced to 15 years with a judge's permission and parental consent (art. 281), with veto power accorded to the father or his extended family (art. 284); payment of bride prices (art. 288); polygamy (art. 307); the requirement to obey one's husband (art. 316); the husband's designation as the head of the household and authority on the place of domicile (art. 319); and the requirement for a waiting period for divorced women (art. 366) and widows (art. 373) to remarry. The Committee is further concerned that levirate is not prohibited.

44. **The Committee, recalling its general recommendations No. 21 (1994) on equality in marriage and family relations and No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, in addition to joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices (2014), recommends that the State party:**

(a) Repeal all discriminatory provisions in the Personal and Family Code and ensure its effective implementation;

(b) Prohibit the harmful practices of polygamy, levirate and child marriage;

(c) Enforce sanctions against any individual performing a marriage ceremony under civil, customary or religious law involving children below 18 years of age;

(d) Encourage open and inclusive public debates regarding diversity of interpretation with regard to Muslim family laws and practices, in order to combat justification of discrimination against women in the name of religion.

Data collection and analysis

45. The Committee recommends that the State party enhance the collection, analysis and dissemination of comprehensive data, disaggregated by sex, age, disability, ethnicity, location and socioeconomic status, and the use of measurable indicators to assess trends in the situation of women and progress towards the realization by women of substantive equality in all areas covered by the Convention.

Beijing Declaration and Platform for Action

46. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action in its efforts to implement the provisions of the Convention.

2030 Agenda for Sustainable Development

47. The Committee calls for the realization of substantive gender equality, in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development.

Dissemination

48. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the parliament and the judiciary, to enable their full implementation.

Technical assistance

49. The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.

Follow-up to the concluding observations

50. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 20 (a), (c) and (e) and 44 (a) above.

Preparation of the next report

51. The Committee invites the State party to submit its tenth periodic report in July 2020.

52. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).